

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 DAVID L. FULBRIGHT,

11 Petitioner,

No. CIV-S-04-2490 DFL PAN P

12 vs.

13 D. L. RUNNELS, Warden,

14 Respondent.

ORDER

15 _____/
16 Petitioner has requested the appointment of counsel. There currently exists no
17 absolute right to appointment of counsel in habeas proceedings. See Nevius v. Sumner, 105 F.3d
18 453, 460 (9th Cir. 1996). However, 18 U.S.C. § 3006A authorizes the appointment of counsel at
19 any stage of the case “if the interests of justice so require.” See Rule 8(c), Fed. R. Governing
20 § 2254 Cases. In the present case, the court does not find that the interests of justice would be
21 served by the appointment of counsel at the present time.

22 ////

23 ////

24 ////

25 ////

26 ////

1 Accordingly, IT IS HEREBY ORDERED that petitioner's April 17, 2006, request
2 for appointment of counsel is denied without prejudice to a renewal of the motion at a later stage
3 of the proceedings.

4 DATED: May 4, 2006.

5
6 
7 UNITED STATES MAGISTRATE JUDGE

8 \004
9 \fulb2490.110
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26